THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 4995 of 2007

13-03-2007

Between:-

Saahil Trading Company,
Rep. by its Proprietor,
Sri Ashok Kumar Jain,
Visakapatnam, Visakapatnam district.

Petitioner

And

The Collector,
Visakhapatnam district and another.

Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No.4995 of 2007

Oral order:

On 14-02-2007 two premises were inspected by the officials of the Civil Supplies Department at Panda Street, Poorna Market, Visakapatnam and a variety of commodities were found stored including quantities of scheduled commodities regulated by the provisions of the Andhra Pradesh Scheduled Commodities Dealers (Licensing and Distribution) Order, 1982 (for short 'the Control Order').

After recording a mediator's report, the specified scheduled commodities comprising pulses were seized. A case under Section

6-A of the Essential Commodities Act, 1955 (for short 'the

Act') has been initiated against the petitioner.

On 15-02-2007, the petitioner represented to the first respondent for interim release of the seized commodities to its custody pending finalization of the case. The grievance of the petitioner is that the first respondent has not yet disposed of its application for interim relief.

In the circumstances, after hearing the learned Government Pleader for Civil Supplies also, the writ petition is disposed of at the stage of admission, directing the first respondent to expeditiously and preferably within a period of thirty (30) days from the date of receipt of a copy of this order, consider and dispose of the petitioner's application for interim release of the seized commodities. Nothing in this order shall be construed as an expression by this court on the merits of the petitioner's claim for interim release. The first respondent shall dispose of the application on its own merits and in accordance with law. There shall be no order as to costs.

GODA RAGHURAM, J

Dated:13-03-2007
Pvks/*
Nb:- Furnish c.c. as soon as possible.
B/o pvks